

Dura Automotive  
Systems Inc.

2791 Research Drive  
Rochester Hills, MI 48309-3575

Tel. (248) 299-7500  
Fax (248) 299-7501

**DURA**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



Inventor: Dean Reynolds et al

Examiner:

Filed: 07/03/03

Atty. Docket No.: 02-11

U.S.S.N.: 10/613,890

Art Unit:

Title: CABLE ACTUATED ADJUSTABLE PEDAL

**NOTICE TO FILE MISSING PARTS**

(petition for revival of an App. For Patent Abandoned  
Unintentionally Under 37 CFR 1.137 (b))

Mail Stop-Missing Parts  
Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA. 22313-1450

**RECEIVED**

OCT 02 2003

**OFFICE OF PETITIONS**

Dear Sir:

Recently we received a Notice Of Abandonment, which was mailed on September 9, 2003. Your document states that the above identified is abandoned, for failure to timely or properly reply, to the Notice to File Missing Parts.

However, we never received a Notice to File Missing Parts. Therefore, we were never aware that there was a due date that needed to be adhered to. Enclosed please find the following documents:

- 1.) Transmittal cover letter (2 pages);
- 2.) Petition for Revival Form PTO/SB/64 (2 pages);
- 3.) Terminal Disclaimer Form PTO/SB/63 (1 page);
- 4.) Fee Transmittal Form (1 page);
- 5.) Assignment w/ Recordation cover sheet (3 pages);
- 6.) Declaration and Power of Attorney; and
- 7.) The USPTO Part 2 copy (1 page).

Also, enclosed please find our version of a return postcard, which we ask be acknowledged and returned to us for our docketing purposes.

September 24, 2003

Sincerely,  
  
Jennifer Sinkovitch




### CERTIFICATE OF MAILING

I hereby certify that all below named documents, in reference to the above identified Patent Application entitled: **"CABLE ACTUATED ADJUSTABLE PEDAL,"**

Transmittal cover letter (2 pages);  
Petition for Revival Form PTO/SB/64 (2 pages);  
Terminal Disclaimer Form PTO/SB/63 (1 page);  
Fee Transmittal Form (1 page);  
Assignment w/ Recordation cover sheet (3 pages);  
Declaration and Power of Attorney; and  
The USPTO Part 2 copy (1 page).

Are being sent via first class mail, addressed to: MAIL STOP-Missing Parts,  
Honorable Commissioner for Patents, P.O. BOX 1450, Alexandria Virginia 22313-  
1450, on this 24<sup>th</sup> day of September

Signature:

  
Jennifer Sinkovich

Date:

9/24/03



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

| APPLICATION NUMBER | FILING OR 371(C) DATE | FIRST NAMED APPLICANT | ATTY. DOCKET NO./TITLE |
|--------------------|-----------------------|-----------------------|------------------------|
| 60/393,772         | 07/03/2002            | Dean Reynolds         | 02-11                  |

Dura Automotive Systems Inc.  
 2791 Research Drive  
 Rochester Hills, MI 48309-3575



CONFIRMATION NO. 9772

ABANDONMENT/TERMINATION  
LETTER

\*OC000000010848460\*

Date Mailed: 09/10/2003

## NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 07/22/2002.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

RECEIVED

OCT 02 2003

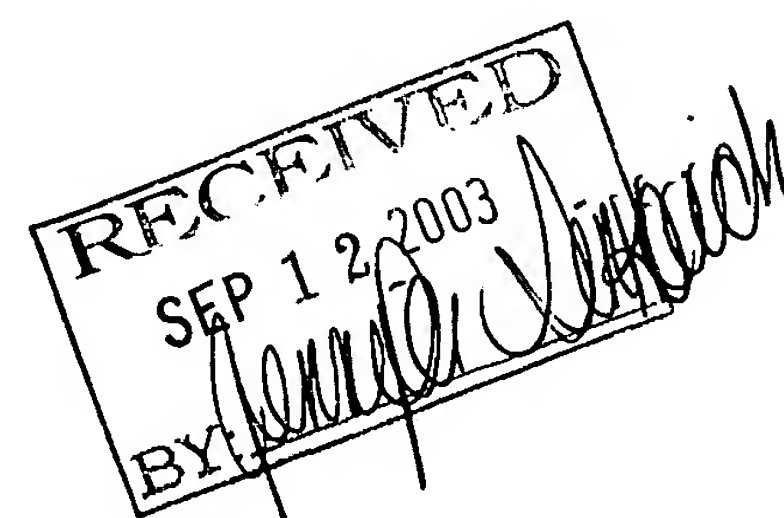
OFFICE OF PETITIONS

*A copy of this notice MUST be returned with the reply.*

  
 Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE





PTO/SB/17 (08-03)

Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 1,450.00

**Complete if Known**

Application Number 10/613,890

Filing Date 07/03/2003

First Named Inventor REYNOLDS et al

Examiner Name

Art Unit

Attorney Docket No. 02-11

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OCT 02 2003

OFFICE OF PETITIONS

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit  
Account  
Number  
Deposit  
Account  
Name

500865

DURA AUTOMOTIVE SYSTEMS

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee  
to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid   |
|--------------|----------|--------------|----------|------------------------|------------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |            |
| 1001         | 750      | 2001         | 375      | Utility filing fee     | 0.00       |
| 1002         | 330      | 2002         | 165      | Design filing fee      | 0.00       |
| 1003         | 520      | 2003         | 260      | Plant filing fee       | 0.00       |
| 1004         | 750      | 2004         | 375      | Reissue filing fee     | 0.00       |
| 1005         | 160      | 2005         | 80       | Provisional filing fee | 0.00       |
| SUBTOTAL (1) |          |              |          |                        | (\$ ) 0.00 |

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

|                    |  |              |  |                |  |          |  |
|--------------------|--|--------------|--|----------------|--|----------|--|
| Total Claims       |  | Extra Claims |  | Fee from below |  | Fee Paid |  |
| Independent Claims |  | -20** =      |  | X              |  | =        |  |
| Multiple Dependent |  | -3** =       |  | X              |  | =        |  |

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                     |          |
| 1201         | 84       | 2201         | 42       | Independent claims in excess of 3                          |          |
| 1203         | 280      | 2203         | 140      | Multiple dependent claim, if not paid                      |          |
| 1204         | 84       | 2204         | 42       | ** Reissue independent claims over original patent         |          |
| 1205         | 18       | 2205         | 9        | ** Reissue claims in excess of 20 and over original patent |          |
| SUBTOTAL (2) |          |              |          |  | (\$ )    |

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

| Fee Code            | Fee (\$) | Fee Code | Fee (\$) | Fee Description  | Fee Paid |
|---------------------|----------|----------|----------|--|----------|
| 1051                | 130      | 2051     | 65       | Surcharge - late filing fee or oath  | 0.00     |
| 1052                | 50       | 2052     | 25       | Surcharge - late provisional filing fee or cover sheet                     | 0.00     |
| 1053                | 130      | 1053     | 130      | Non-English specification  | 0.00     |
| 1812                | 2,520    | 1812     | 2,520    | For filing a request for <i>ex parte</i> reexamination                     | 0.00     |
| 1804                | 920*     | 1804     | 920*     | Requesting publication of SIR prior to Examiner action                     | 0.00     |
| 1805                | 1,840*   | 1805     | 1,840*   | Requesting publication of SIR after Examiner action                        | 0.00     |
| 1251                | 110      | 2251     | 55       | Extension for reply within first month                                     | 0.00     |
| 1252                | 410      | 2252     | 205      | Extension for reply within second month                                    | 0.00     |
| 1253                | 930      | 2253     | 465      | Extension for reply within third month                                     | 0.00     |
| 1254                | 1,450    | 2254     | 725      | Extension for reply within fourth month                                    | 0.00     |
| 1255                | 1,970    | 2255     | 985      | Extension for reply within fifth month                                     | 0.00     |
| 1401                | 320      | 2401     | 160      | Notice of Appeal   | 0.00     |
| 1402                | 320      | 2402     | 160      | Filing a brief in support of an appeal                                     | 0.00     |
| 1403                | 280      | 2403     | 140      | Request for oral hearing   | 0.00     |
| 1451                | 1,510    | 1451     | 1,510    | Petition to institute a public use proceeding                              | 0.00     |
| 1452                | 110      | 2452     | 55       | Petition to revive - unavoidable   | 0.00     |
| 1453                | 1,300    | 2453     | 650      | Petition to revive - unintentional   | 1,300.00 |
| 1501                | 1,300    | 2501     | 650      | Utility issue fee (or reissue)   | 0.00     |
| 1502                | 470      | 2502     | 235      | Design issue fee   | 0.00     |
| 1503                | 630      | 2503     | 315      | Plant issue fee  | 0.00     |
| 1460                | 130      | 1460     | 130      | Petitions to the Commissioner  | 0.00     |
| 1807                | 50       | 1807     | 50       | Processing fee under 37 CFR 1.17(q)  | 0.00     |
| 1806                | 180      | 1806     | 180      | Submission of Information Disclosure Stmt                                  | 0.00     |
| 8021                | 40       | 8021     | 40       | Recording each patent assignment per property (times number of properties) | 40.00    |
| 1809                | 750      | 2809     | 375      | Filing a submission after final rejection (37 CFR 1.129(a))                | 0.00     |
| 1810                | 750      | 2810     | 375      | For each additional invention to be examined (37 CFR 1.129(b))             | 0.00     |
| 1801                | 750      | 2801     | 375      | Request for Continued Examination (RCE)                                    | 0.00     |
| 1802                | 900      | 1802     | 900      | Request for expedited examination of a design application                  | 0.00     |
| Other fee (specify) |          |          |          |  | 110.00   |

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 1,340.00

**SUBMITTED BY**

(Complete if applicable)

Name (Print/Type)

Casimir R. Kiczek

Registration No.  
(Attorney/Agent)

28,865

Telephone 248-299-7566

Signature

Date

9/24/03

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.